

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 2966 - SB 3171

February 24, 2010

SUMMARY OF BILL: Prohibits disposal of untreated sewage into Tennessee waters by vessels permanently equipped with toilet facilities. Requires boating facilities to inform vessel owners and operators of the requirements regarding disposal of marine sewage. Prohibits the use of any vessel capable of discharging untreated sewage from the vessel. Requires vessels with permanent toilet facilities be equipped with U.S. Coast Guard certified marine sanitation devices. Authorizes the use of portable toilets that can be emptied ashore. Classifies a violation as a Class C misdemeanor subject to a fine of at least \$100 and not more than \$1,000 or imprisonment not to exceed three months or both. Authorizes the assessment of a civil penalty not to exceed \$1,000 for violation of this section. Authorizes every sheriff, deputy sheriff, highway patrol officer, Tennessee Wildlife Resources officer, municipal police officer, and officer of the Department of Environment and Conservation to enforce these regulations. Authorizes law enforcement to stop and board any vessel to investigate a violation involving vessels subject to these regulations.

ESTIMATED FISCAL IMPACT:

Increase State Revenue – Not Significant

Increase State Expenditures – Not Significant

Increase Local Revenue – Not Significant

Increase Local Expenditures – Not Significant

Assumptions:

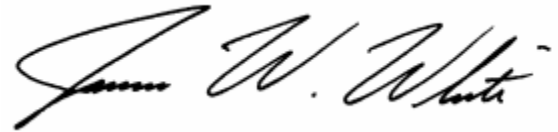
- Tenn. Code Ann. § 69-9-216(g) currently prohibits the use of a vessel capable of discharging untreated sewage into the waters of the state.
- Current Rules of Tennessee Wildlife Resource Commission (Chapter 1660-2-11) require vessels with installed toilet facilities to be equipped with at least one of the following: holding tanks that prevent overboard discharge of sewage, U.S. Coast Guard approved Type I or II marine sanitation device, or a system rendered inoperable for allowing overboard discharge of sewage.
- According to the Tennessee Wildlife Resources Agency, the Agency does not have the authority to levy civil penalties.
- There are a limited number of other law enforcement personnel that operate on the waters in the state.

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- There will not be a significant increase in the number of prosecutions for state or local governments to experience any significant increase in revenue or expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large initial "J" and a distinct "W".

James W. White, Executive Director

/jaw